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COMMISSION ON HUMAN RIGHTS
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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE
PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE
UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Strengthening of United Nations action in the field of human rights
through the promotion of international cooperation and the
importance of non-selectivity, impartiality and objectivity

Report of the Secretary-General

Introduction

1. The present report is submitted pursuant to Commission on Human Rights resolution 1992/39 of 28 February 1992.

2. The General Assembly, on 18 December 1990, adopted resolution 45/163 entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity". In that resolution the Assembly,

" ...

"Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

" ...

"Deeply convinced that such cooperation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

" ...

"5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

"6. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

"7. Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

" ...

"9. Requests the Commission on Human Rights, at its forty-seventh session, to examine the content of the present resolution, including ways and means to strengthen United Nations action in this regard."

3. The Commission on Human Rights, following up the above-mentioned resolution of the General Assembly, adopted at its forty-seventh session, on 6 March 1991, resolution 1991/79, in which the Commission, inter alia,

"8. Requests the Secretary-General to invite Governments to provide comments on the contents of the present resolution, to be transmitted to the Commission and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session to assist in their further examination of the question, including possible ways and means to secure that accurate, impartial and objective information on the political, economic and social situations and events in all countries is made regularly available to human rights bodies and international public opinion, with a view to making recommendations on practical measures to promote international cooperation in the field of human rights."

4. At its forty-sixth session, the General Assembly adopted resolution 46/129, in which it requested the Commission on Human Rights to continue to examine ways and means to strengthen United Nations action in this regard, requested the Secretary-General to invite Governments, in responding to the request in paragraph 8 of Commission resolution 1991/79, to

comment also on the present resolution in time for the transmission of their comments to the Preparatory Committee for the World Conference on Human Rights and the regional meetings for their consideration.

5. At its forty-eighth session, the Commission on Human Rights adopted resolution 1992/39 in which the Commission requested the Secretary-General to submit to the Commission, at its forty-ninth session, his recommendations on this matter pursuant to paragraph 8 of the Commission resolution 1991/79, and to make them available to the Preparatory Committee for the World Conference on Human Rights and to the regional meetings, as requested in General Assembly resolution 46/129.

6. In response to the note verbal sent on 15 June 1992 pursuant to the above-mentioned resolutions, the following comments were received from the Governments of Cuba, Mexico and Nicaragua.

(a) Cuba

[17 August 1992]

[Original: Spanish]

"The Government of the republic of Cuba attaches particular importance to this subject, because it is aware that the relevant bodies of the United Nations can make an effective contribution in fulfilling their respective mandates.

"It is an absolute prerequisite to work to maintain and enhance the confidence of Member States in the mechanisms that in one way or another work towards the adoption and application of measures which sometimes undermine the purposes and principles established in the Charter of the United Nations.

"Consequently, the greatest care should be taken to ensure that such decisions are not motivated by approaches in which the underlying causes reflect political bilateral relations between Member States.

"Non-selectivity, impartiality and objectivity are the unshakeable premises which should inform the way in which the complex and varied issues that must be dealt with by the various bodies are considered, particularly in the area of human rights.

"We are surprised to note that there is a tendency to subject developing countries to questioning, criticism and scrutiny for alleged violations of basic human rights. This is, de jure and de facto, tantamount to unfair and therefore discriminatory treatment, considering that flagrant and systematic human rights violations are occurring in other parts of the world.

"It is common knowledge that there are acts which undoubtedly threaten and hinder the full enjoyment of human rights. The practices of racism, racial discrimination and their extreme expression, xenophobia, pose serious threats to whole populations. In practical terms, this results in a total lack of respect for the human values and commitment to the fundamental guarantees which some countries demagogically claim to uphold.

"The violence and terror recently unleashed, as well as other events on an exceptional scale, furnish irrefutable proof of our claims.

"More strenuous efforts should be made to prevent the Commission on Human Rights itself and the Sub-Commission on Prevention of Discrimination and Protection of Minorities from being utilized to achieve political ends, because this weakens their effectiveness and undermines their integrity. The Commission should work to thwart any attempts to manipulate it and to use it as the instrument to pander to the yearnings of certain countries for hegemony.

"Bearing in mind that the principal aim of the United Nations should be to uphold the principles of equality of rights and the self-determination of peoples, it is incumbent on all Member States, working together with the Organization, to promote and encourage respect for human rights and fundamental freedoms in order to achieve their full realisation.

"Similarly, the Government of the Republic of Cuba considers that objectivity and non-selectivity in dealing with this subject will prevent further deterioration of fundamental rights and freedoms in this decade and will contribute to the necessary defence, protection and promotion for human rights by the United Nations, in accordance with the Charter."

(b) Mexico

[28 September 1992]
[Original: Spanish]

"The Government of Mexico firmly supports the provisions of Commission on Human Rights resolution 1992/39 and United Nations General Assembly resolution 46/129 on the strengthening of international cooperation and the importance of non-selectivity, impartiality and objectivity, since it is of the opinion that international cooperation is the most effective means of promoting respect for human rights and fundamental freedoms in all parts of the world.

"In this connection, the Government of Mexico considers that a balance must be struck between international cooperation, the responsibility of States for honouring the commitments they have undertaken, and respect for their domestic jurisdiction.

"Universal awareness of human rights must be strengthened on the basis of national efforts and non-selective and non-discriminatory international cooperation.

"In this regard, the principles of non-interference in the internal affairs of States and respect for their sovereignty are still fully in effect as far as human rights are concerned. An end must be put to the ideological confrontations of the past and attempts to impose unilateral interpretations of universal values."

(c) Nicaragua

[26 August 1992]
[Original: Spanish]

The Executive Committee composed of the six Ministers for Foreign Affairs of the area - from Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama - held their 16th meeting on 14 August 1992. In the final document of the meeting, the section concerning the forthcoming World Conference on Human Rights included a decision that a Central American position on human rights should be adopted taking the following elements into account:

- "A. Recognition of Central America as a region of peace, freedom, democracy and development by the United Nations General Assembly is bound up with the importance that the region attaches to the full realization of human rights and the indivisible link between civil and political rights and economic, social and cultural rights. This statement establishes the necessary link that should exist between democracy and development in a society.
- "B. Central America also pays special attention to the "third-generation" human rights such as the right to development and protection of the environment.
- "C. Central America believes that human rights should be a priority area of cooperation, particularly on behalf of the most vulnerable sectors. To that end, the region accords a special place to persons who have been affected by armed conflicts. It also favours measures to assist women, children and youth, as sectors of the population that should be given priority.
- "D. It is important to stress that a proper assessment should be made of the progress achieved in the field of human rights in Central America.
- "E. The importance of an educational approach to human rights and the strengthening of the administration of justice should also be emphasized."

Conclusions and recommendations

7. As the resolutions of the General Assembly and the Commission on Human Rights mentioned in the introduction state, the principles of non-electivity,

impartiality and objectivity should be ensured in the consideration of human rights issues in the United Nations. In order to secure an unbiased and fair approach to human rights issues, accurate, impartial and objective information on the political, economic and social situations and events in all countries is indispensable. International cooperation in this area is, therefore, a prerequisite for strengthening United Nations action in this field.

8. In the light of the observations of the Government contained above, it would be important that this question be studied in depth, taking into consideration all relevant factors. It has also been felt that the Secretariat of the United Nations, in particular the Centre for Human Rights, must be better equipped to gather, assess and process information concerning human rights situations and events, to meet the needs of the United Nations organs dealing with human rights issues. This could be dealt within the same context.

9. The Commission on Human Rights may wish to decide, at its forty-ninth session, to refer this question to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its consideration.
